



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,115	01/16/2004	Yuji Sushima	HITA.0496	4976
7590	01/12/2009			
Stanley P. Fisher Reed Smith LLP Suite 1400 3110 Fairview Park Drive Falls Church, VA 22042-4503			EXAMINER WHIPPLE, BRIAN P	
			ART UNIT 2452	PAPER NUMBER
			MAIL DATE 01/12/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10758115	1/16/2004	SUSHIMA ET AL.	HITA.0496

EXAMINER

BRIAN P. WHIPPLE

ART UNIT	PAPER
----------	-------

2452 20090105

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner for Patents**

In addition to the reasons for non-compliance under 37 CFR 1.121 in the attached form, the amendment is also considered non-responsive under 37 CFR 1.111, which states, "The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action."

Specifically, Applicant fails to respond to the rejection of claim 25 under Albert, what was well known in the art at the time of the invention, and Ashok.

Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to file a fully responsive amendment.

Brian P. Whipple  
/B. P. W./  
Examiner, Art Unit 2452  
1/5/09

/Kenny S Lin/  
Primary Examiner, Art Unit 2452